

UNITED STATES DISTRICT COURT, EASTERN  
DIVISION, WILL COUNTY JH

DENNIS Taylor #R68729  
Plaintiff

1:17-cv-0441

Judge Thomas M. Durkin  
Magistrate Judge Sheila M. Finnegan  
PC5

v  
IDOC,

Randy Pfister, Warden  
Karen Rabideau, Placement Officer  
Sgt. Deatherow, F-House Asst. Admin., <sup>665, 667, 670</sup>  
Defendants

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I. JURISDICTION & VENUE

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

1. This is a civil action authorized by 42 U.S.C Section 1983 to redress the deprivation, under Color of State law, of right secured by the Constitution of the United States. The Court has jurisdiction under 28 U.S.C Section 1331 and 1333(a)(3). Plaintiff seeks declaratory relief pursuant to 28 U.S.C. Section 2201 and 2202. Plaintiff claims for injunction relief are authorized by 28 U.S.C. Section 2283 and 2284 Rule 65 of the Federal Rule of Civil Procedure.

2. The Will County District Court of Illinois is an appropriate venue under 28 U.S.C. Section 1331 (b)(2).

because it is where the events giving rise to this claim occurred.

## II PLAINTIFF(S)

3. Plaintiff, Dennis Taylor was at times mentioned herein a prisoner of the State of Illinois in the custody of the Illinois Department of Corrections. He is currently confined in Menard Correctional Center in Menard, Illinois, P.O. Box 1000, 62259.

## III DEFENDANT(S)

4. Defendant Randy Pfoester is Warden of Stateville Correctional Center. He is legally responsible for the overall operation of the institution, and for the welfare of all the inmates in Stateville Correctional Center in Joliet Illinois.

5. Defendant Sgt. Mack Deatherow is a Correctional Officer (Sgt) at Stateville CC, and at time mentioned in this complaint held the rank as assistant administrator in F-house.

6. Defendant Karen Rabideau is a Correctional Officer of the Illinois Department of Corrections who at all times mentioned, held the rank of Placement Officer, and was assigned to placement office at time mentioned in this complaint at Stateville CC. At all times each defendant acted under color of State law, and IDOC jurisdiction.

### III FACTS

7. On approx. 1/5/16 plaintiff, Dennis Taylor was transferred from Stateville CC general population to Segregation, F-house, Single Cell # 154,

pending a disciplinary hearing.

8. On approx. 11/12/15 inmate Peoples #K51695 was moved from another Seg. cell into Cell #154 with Plaintiff. He boast to plaintiff that he held a high position with the Gangster Disciples (G.D.'s) and was in Seg. for threatening to beat several inmates to death with his fan molar. He showed plaintiff the disconnected fan molar he brought with him to Seg. and warn plaintiff that he would not have a problem using it on him (plaintiff) if he had to. Upon information and belief, Peoples has a history of abusive behavior toward his older cell mates, in which plaintiff is 15 years his senior. Said information will be verified upon discovery.

9. On approx. 11/13/15 Plaintiff wrote placement, and F-house Sgt. Deatherow requesting to be moved out of the cell with Peoples, because of his repeated threats toward plaintiff, (See Exhibit A).

10. On 11/17/15, at approx. 9:30 AM, while plaintiff was being taken to his disciplinary hearing, he ran into Sgt. Deatherow, and asked him did he received the letter plaintiff sent him - he said he did. Plaintiff explained to him again that he needed to be moved out of the cell with Peoples, because of his repeated threats toward him. Sgt. Deatherow asked Plaintiff "Do you know how to fight?" I told him that I did not want to fight Peoples - I just wanted to move into another cell. He told me that he wasn't going to move me, so I need to "man up," go back to my cell and deal with it.

11. ON 1/18/15, I sent an emergency grievance to the Warden requesting to be moved out of Cell #154 with Peoples, because of the repeated threats on his life from Peoples. See hand written copy of grievance, Exhibit A.

12. ON 1/27/15 inmate Peoples put his fan motor in a pillow case, and struck Plaintiff on the head several times. Plaintiff told Peoples that he was going to report what happened to Glendale officials. He told me that if I told the police what happened he would have his mob hit me. See Exhibit L. I feared him, because I witnessed the power he had within his mob, and the No-level form of revenge they carried out on individuals. So, when Peoples told Officer Subicò that I fell and hit my head on the toilet, I went along with the story he made up. 6

out of fear for my life. See ~~Exhibit L~~ - I was rushed to an out side hospital, Saint Joseph Hospital, Solon, Illinois, and received 38 staples in my head. I was admitted in Stateville's hospital from 11/28/15 thru 1/5/16 (five weeks) for treatment to my head and observation. I'm currently experiencing headaches and blurred vision behind the assault. See (medical records) ~~Exhibit M-000~~ upon request.

13. On approxo 12/14/15, Plaintiff wrote Mrs. Rabideau of Placerville, and informed her that I was assaulted by Peoples, and did not come forward sooner, because Peoples had threatened my life. I asked her to pass said information to officials (F.A.C.)

14. On approxo 12/24/15 and 1/11/16, I was interviewed by -

I.A. Officers: Vengana (and unknown I.A. Officer) on 12/24/15, and Supervisor Sullivan and I.A. Officer Sipia on 1/11/16. I informed I.A. in both interviews that I was assaulted by Peoples and the reason I waited to come forward was because Peoples threatened to have his mob hit me if I snitch on him. See Exhibit L. I.A. told me in both interviews that the evidence they gathered matched my details of the assault. I.A. told plaintiff that they had reason to believe the tan Molor that was confiscated from Peoples was the alleged weapon used in the assault. The alleged evidence can be obtained through discovery.

15. ON 1/12/16, upon information and belief, Peoples was interviewed by I.A. Sullivan and Sipia, and was given an alternative to —

agree to fighting with Plaintiff or he will be charged with an assault. The alleged individuals who provided said information would not give an affidavit for fear of retaliation from St. Louisville officials.

16. On approx. 1/18/16 Plaintiff was issued a disciplinary report for fighting Peoples. See Exhibit L.

17. On 1/28/16 the said ticket was expunged by Lt. Charles Best of the Adjustment Committee upon review of evidence and statements of the alleged weapon (Raw Mole) Peoples allegedly used in the assault. Plaintiff explained to Committee why he waited to come forward with the information for Peoples had threatened to have his job hit him.

18. On approx. 2/24/16 and 5/12/16 St. Louisville officials denied Plaintiff's

Permanent protective custody requests.

19. On approx. 4/20/16 and 6/15/16, Plaintiff appealed the denials to IAC Adminis-trative Review Board (ARB) and was denied permanent protection as well. In spite of the fact that my need for P.C. originated from me being assaulted by Peoples and reported ~~it~~ to Shreveville Officials. IAC officials were given the name of the G.O. Mob and specific individuals behind these threats. See Exhibit E.

20. On approxo 2/15/16, 5/21/16, and 6/30/16, Plaintiff was forced to sign into P.C. after coming in direct contact with Peoples and multiple members of G.O. mob.

The G.O. m/s threatened to kill me if Plaintiff did not sign back into P.C. See Exhibit E + L.

21. On approx. 9/1/16 Plaintiff signed back in P.C. due to repeated threats he received from the G.O. m/s. Plaintiff informed Unit Staff Counselor, and T.A., and turned the threatening behavior over to St. Louisville Officials. Plaintiff was denied permanent P.C. by St. Louisville and ARB. He was told by ARB that, "Your rationale for needing P.C. is centered around an altercation you had Nov. 17, 15 with other people." This information is contrary to facts and the expunged disciplinary report Plaintiff received. See Exhibit L.

Plaintiff is on temporary P.C. pending the filing of this petition.

22. On November 11, 2016, while in protective custody at Stateville Correctional Center, Plaintiff was transferred to Menard Correctional Center. He was taken out of POC and placed in general population.

#### IV EXHAUSTION OF LEGAL REMEDIES

Plaintiff, Dennis Taylor exhausted the prisoner's grievance procedures available at Stateville Correctional Center, and the Administrative Review Board. Whereas:

23. On 11/18/15, Plaintiff sent an emergency grievance to the Warden requesting to be moved out of Cell #154, because inmate Peoples had threatened his life.

Plaintiff did not receive a response to said grievance, and was assaulted by inmate Peoples before he could appeal to the ARB. See copy of said grievance (handwritten). Exhibit A. Plaintiff met the exhaustion requirement of 28 U.S.C § 2675(a) because the administration did not respond to the grievance within six months).

24. On 2/18/16, plaintiff filed a grievance concerning an expunged disciplinary report he received for allegedly fighting inmate Peoples to Stateville CC and the Administration Review Board (ARB). Plaintiff noted in the grievance that he never should have received a ticket, because he was assaulted by inmate Peoples, and had to be rushed to the outside hospital, and received 38 staples in the head.

Steville response was that, "Offender Peoples has been added to your RSF list, and "you are currently group # Pol." See Exhibit B. ARB stated that; "No justification provided for additional consideration," and "Offender is currently in Pol." <sup>see Exhibit B.</sup>

25. On 4/27/16, Plaintiff filed a grievance with Steville CC that informed it that the GDC whom had threatened him was still threatening him, and had not been placed on plaintiff keep separate list. I asked to be kept on Pol. until the situation is resolved. I was told And, "Once Pol. decision reach the ARB —

it is out of the instigator's jurisdiction." See Exhibit C.

26. On 5/1/16, Plaintiff filed an emergency grievance with Stateville CC, and ARB after he was released from P.C., and came in direct contact with inmate Peoples and members of his mob. Stateville response was; "No; all offenders should submit this grievance in the Normal manner." See Exhibit D. ARB stated; "Offender needs to contact his counselor and F.A. regarding protective custody issues." See Exhibit E.

27. On 6/15/16, ARB, without giving Plaintiff a formal hearing-

denied plaintiff permanent  
P.C., and stated: "I find no  
new information which would war-  
rant a reconsideration of the  
past ARB hearings."<sup>13</sup> See Ex-  
hibit E.

28. On 7/12/16, after not re-  
ceiving a response from plaintiff  
grievance that he had given  
to Counselor ~~at~~ concerning an  
emergency grievance that was  
sent to the worker concerning  
said matters, plaintiff sent  
another grievance. The re-  
sponse was stated: "Per griev-  
ance Officer, that grievance  
was returned to the Counselor  
on 2/28/16 to offender, the  
issue it was never —

returned to their office." See Exhibit G.

29. Plaintiff, within the same month, forward a grievance to the ARB, and its response was that: "Grievance dated 11/18/15 and 2/18/16 are 60 days past time frame without facility response." See Exhibit G. Notwithstanding, plaintiff was admitted to hospital from 11/29/15 thru 1/15/16 and was not able to send the second grievance until 2/28/16 to inquire why his 11/18/15 grievance had not be answered. See Exhibit G.

30. On 8/8/16, Plaintiff sent an emergency grievance to the Warden —

requesting permanent P.C. after he was threatened by multiple G.O.'s for snitching on inmate Peoples #K51695 for assaulting him on 11/27/15. The Warden's response was that: "No; emergency is not substantiated." See Exhibit A.

31. On 8/15/16, Plaintiff sent a grievance to the Comptroller concerning said matter, and was told: "Per Intel, your request has been received, and will be processed in the order of receipt." See Exhibit I.

32. On 8/15/16 and 11/1/16 A.R.B. denied Plaintiff permanent protection from Offender Peoples and his MoL(G.O.'s) after Plaintiff informed Stateville Officials that Peoples assaulted him on 11/27/15.

33. On 11/27/16, ABB denied plaintiff PoC again, and stated: "During each of these reviews, your rationale for needing PoC is center around an alteration you had Nov. 27, 2015 with Offender Peoples.<sup>83</sup> See Exhibit J&K. This information is contrary to facts, and the expanded disciplinary report plaintiff received on 1/28/16. See Exhibit L.

## V. LEGAL CLAIMS

Plaintiff re-allege and incorporate by reference paragraphs 1 - 33 that:

34. The assault, unsafe conditions, and deliberate indifference violated plaintiff, Dennis Taylor's rights -

and constituted cruel and unusual punishment, a due process violation under the Eighth and Fourteenth Amendment to the United States Constitution.

35. The plaintiff has no ~~plain~~ adequate or complete remedy at law to redress the wrong described herein. Plaintiff has been and will continue to be irreparably injured by the conduct of the defendants unless this court grants the declaratory and injunctive relief which plaintiff seeks.

#### VI. PRAYER FOR RELIEF

Wherefore, plaintiff respectfully prays that this court enter

judgment granting Plaintiff:

36. A declaration that the acts and omissions described herein violated Plaintiff's rights under the Constitution and law of the United States.

37. A preliminary and permanent injunction ordering defendant Shreveport Medical Warden Pisler (current Warden of Monroe CC) "et al, all" to: grant permanent protection custody from the God mob whom consistently threatened to harm Plaintiff for shooting an one of its members, Peoples after he assaulted him on 11/27/15 at Shreveport Correctional Center

Plaintiff was transferred to  
Mervad CC on 11/10/16. Defendant  
Peoples was also transferred to  
Mervad CC on 11/24/16. Plaintiff  
ran into Peoples on 11/25/16 for  
we were housed on the same  
gallery (W-1 gallery) Peoples  
made threatening comments to  
Ward Plaintiff, and stated that  
he will have his mob (code 5)  
"Fuck you up."<sup>38</sup>

38. Compensatory damages in the  
amount of \$ 20,000 dollars against  
each defendant, jointly and  
severally.

39. Punitive damage in the amount  
of \$ 20,000 dollars against each  
defendant.

40. A jury trial on all issues triable by jury.

41. Plaintiff's costs in this suit.

42. Any additional relief this Court deems just, proper, and equitable.

43. Permit plaintiff to have Video / telephone court appearance, and not be sent to court unless for mandatory appearances.

### VERIFICATION

I have read the foregoing complaint and hereby verify that the matters alleged therein are true, except as to matters alleged on information and belief, and as to those, I believe them to be true. I certainly under penalty of perjury that the foregoing is true and correct.

Subscribed and sworn to before me on the

10th day of January, 2017

Shane W. Gregson  
Notary Public



Shane W. Gregson  
# R 68729  
I.D. Number  
P.O. Box 1000, Newark, NJ 07105  
Address

Date: January 9, 2017